

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Frampton E. Ellis, III : Group Art Unit: 3829  
: :  
Application No.: 10/690,933 : Examiner: Marie D. Patterson  
: :  
Filed: October 22, 2003 : Atty Docket No.: ANAT-3USDiv12  
: :  
For: SHOE SOLE STRUCTURES : Confirmation No.: 6928

**RESPONSE TO FINAL REJECTION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Response, relating to the above-identified patent application, is to the Office Action dated January 23, 2006, the deadline for response to which has been extended to May 23, 2006, by the petition for a one-month extension of time and payment of the extension fee.

**REMARKS**

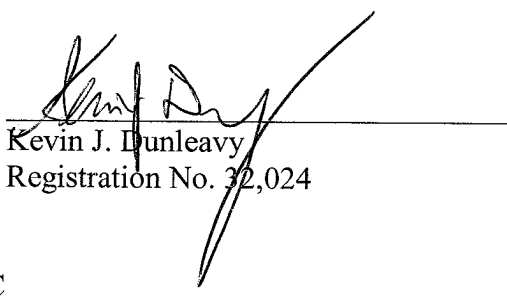
Claims 2-22 are rejected on the ground of non-statutory double patenting over the claims of U.S. Patent Nos. 6,708,424, 6,729,046, 6,748,674, 6,810,606, 6,629,376 and 6,591,519.

Claims 2-22 are allowed pending the filing of a proper Terminal Disclaimer. The attached Terminal Disclaimer obviates all rejections and puts this application in condition for allowance.

Favorable consideration is respectfully requested.

Respectfully submitted,

Date: May 22, 2006

  
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